

BILL NO. G-91-04-16 (AS AMENDED)

GENERAL ORDINANCE NO. G-

02-92

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating a street thereof.

WHEREAS, a petition to vacate a public street within
the City of Fort Wayne (as more specifically described
below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing
thereon; and

WHEREAS, said Commission has duly forwarded its
recommendation to this body approving said petition, all in
accordance with I.C. 36-7-4-512(2) and this body having held
a public hearing on said vacation as provided in I.C. 36-7-
4-12; and

WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
public street within the City of Fort Wayne, more
specifically described as follows, to-wit:

All that part of Warren Street lying North of a
line connecting the Southwest corner of Lot 79 to
the Southeast corner of Lot 78 and South of the
South right-of-way line of vacated Molitor Street.

Also that portion of Alden Avenue lying adjacent to and
contiguous with Lots 79 and 102, all as shown in
Vodermark's Addition recorded in Deed Book 58, pages
148 and 149, in the Office of the Recorder of Allen
County

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary

approval by the Mayor.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1991,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

BILL NO. G-91-04-16 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

CLETUS R. EDMONDS, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRWOMAN
RAVINE, TALARICO, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM
WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the
Thoroughfare Plan of the City Comprehensive ("Master") Plan by
vacating a street thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

C. R. Edmonds

J. G. Bradbury

S. J. Talarico

A. J. Schmidt

Albee Ravine

DATED: 1-28-92.

Sandra E. Kennedy
City Clerk

VACATION PETITION

AREA MAP

CASE NO. #470

WABASH DIVISION

STREET							MOLITOR VAC. ST.						
3.4	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	
	108	107	106	105	104	103	102	101	100	99	98	97	
VAC. DEC. RES. # 1207-1208							DEC. RES. # 853-52						
4	73	74	75	76	77	78	79	80	81	82	83	84	
25	46	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	
REYNOLDS STREET							SUMMER STREET						
6	46	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	47.67	
6	5	72	71	70	69	68	67	66	65	64	63	62	
VAC. DEC. RES. # 1206-1207							DEC. RES. # 853-52						
10	37	38	39	40	41	42	43	44	45	46	47	48	

COUNCILMANIC DISTRICT NO. 1

Map No. P-2
LW 3-21-91

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	IA	Interchange Access
PUD	Planned Unit Dev.	POD	Professional Office District	MHP	Mobile Home Park

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WHEREAS, said Commission has duly forwarded its
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WHEREAS, this body concurs in the recommendation of the
City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a
public street within the City of Fort Wayne, more
specifically described as follows, to-wit:

That portion of north-south Warren Street bounded
on the west by the east property lines of Lots
Nos. 103 and 78 in Vodermark's Addition and
bounded to the east by the west property lines of
Lot Nos. 102 and 79 of Vodermark's Addition. That
portion of east-west Alden Street bounded to the
north by the south property line of Lot No. 102 in
Vodermark's Addition and bounded to the south by
the north property line of Lot No. 79 in
Vodermark's Addition.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

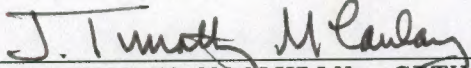
SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary

#470

approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1991,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

FOUR STAR BOND
SOUTHWORTH CO. U.S.A.
25% COTTON FIBER

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
EDMONDS	✓			
GIAQUINTA				✓
HENRY				✓
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 1-28-92.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. D-02-92 on the 28th day of January, 1992

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of January, 1992, at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 3rd day of February, 1992, at the hour of 8:30 o'clock A M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

Read the first time in full and on motion by Henry
seconded by Bradbury, and duly adopted, read the second time by
title and referred to the Committee on Regulations (and the
City Plan Commission for recommendation) and Public Hearing to be held aft
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 4-9-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____,
at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

#470
ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Warren Street south of the Norfolk and Western
Railroad tracks and north of Reynolds Street.

EFFECT OF PASSAGE Property is presently dedicated right of way. Property
will be vacated and revert to the ownership and use of the adjacent
property owners.

S-91-04-16
EFFECT OF NON-PASSAGE Property will remain dedicated right of way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.))

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Street Vacation Ordinance

DETAILS

Specific Location and/or Address Warren Street north of Reynolds Street and the west 47.67 feet of Alden Avenue.
Reason for Project Expansion and renovation of the existing Tokheim facilities.
Discussion (Including relationship to other Council actions) <u>15 April 1991 - Public Hearing</u> See Attached Minutes of Meeting <u>22 April 1991 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation subject to the petitioner satisfying the following conditions: 1) Provide utility easements or relocations as needed. 2) Provide a dedicated and improved "turn-around" at the west end of Alden Avenue to meet the standards and specifications of the Street Engineering Department. Of the nine (9) members present, eight (8) voted in favor of the motion, one (1) did not vote. Motion carried.

POSITIONS

RECOMMENDATIONS

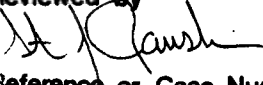
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/Proponents	Applicant(s) Tokheim Corporation & Indiana Michigan Power Co City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start	Date	14 March 1991
Projected Completion or Occupancy	Date	27 December 1991
Fact Sheet Prepared by Patricia Biancaniello	Date	27 December 1991
Reviewed by 	Date	2 January 1992
Reference or Case Number		

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start


Date 14 March 1991

Projected Completion or Occupancy

Date 27 December 1991

Fact Sheet Prepared by
Patricia Biancaniello

Date 27 December 1991

Reviewed by

Reference or Case Number

Date 2 JANUARY 1992

Bill No. G-91-04-16 - Vacation Petition #470
Warren Street north of Reynolds Street and the west
47.67 feet of Alden Avenue.

- c. Bill No. G-91-04-18 - Vacation Petition #471
Both alleys located on the west side of Dubois Street
north of Wayne Trace.

3. Public Hearing on Zoning Map Amendments

- a. Bill No. Z-91-04-14 - Change of Zone #469
From R-2 to M-2
The 2200 Block of Reynolds Street on the north side and
the first lot east of Warren Street.

Larry Shine, attorney for the petitioners Tokheim Corporation appeared before the Commission. Mr. Shine stated that they were there for the following three petitions: Bill No. G-91-04-16, Bill No. G-91-04-18 and Bill No. Z-91-04-14. Mr. Shine stated that the two vacations along with the rezoning are part of the Tokheim expansion. Mr. Shine stated that with regard to the rezoning it is for the purpose of extending the parking lot. He stated that some of it is being used for parking and they are using this opportunity to ask for M-2 zoning to make the use consistent with the zoning designation. He stated that with regard to the Warren & Alden Street vacation request there is a condition from the staff to dedicate right-of-way for a cul-de-sac at the west end of Alden. He stated that staff is requesting it because Alden Avenue is currently being used to access other properties. Mr. Shine stated that they would respectfully ask the Commission to eliminate the condition requiring a cul-de-sac for the following reasons. He stated that this part of Alden is not used by any of the property owners who's homes are located on Reynolds Street for driveway purposes. He stated that their drives all go out onto Reynolds Street. He stated that there are no drives or ingress/egress from the back of the properties onto Alden. He stated that the portion of Alden that they want to vacate is unimproved and no more than a pathway used by a pickup truck to pick up trash for four homes. He stated that the truck currently drives in and backs out onto the next street. He stated that if they created a cul-de-sac it would be used only by one vehicle. He stated that they are trying to maximize the project land with landscaping and buffering at this end of Alden Street. He stated that the other vacation petition which is a portion of two alleys is similar. He stated that the only property affected by this vacation would be the Angle Inn Tavern. He stated that they use Lot 9 for a parking lot. He stated that Street Engineering has asked for them to create a easement for an alley so as not to create a dead end. He stated that they feel the request by Street Engineering is larger than necessary. He stated that they would only be accommodating ingress/egress for one home on Lot #8. He stated that this home on Lot #8 has the garbage picked up in the alley but the garbage truck does not use the alleys that they want to vacate for access. The garbage

truck uses the parking lot for the Angle Inn to turn around. He stated that instead of using part of the vacated property to dedicate a new alley they want to be able to come all the way out on the end of Lot 7 in order to complete their buffering and landscaping.

Dan Platter, President of East Side Neighborhood Association appeared before the Commission. Mr. Platter stated that he wanted to talk about the vacation of Warren & Alden. He stated that they have had trouble in the past with dumping in the area and they feel that the vacation and fencing of the property will be a solution to that problem. He stated that with regard to the vacation of the two other alleys they feel that the landscaping and buffering will be an improvement for the area. He stated that with respect to the rezoning, they (Tokheim) already use a portion of the area for parking and they feel the rezoning and using of the property for a parking lot is consistent.

John Angle owner of the Angle Inn appeared before the Commission. Mr. Angle stated that he was not against the vacation of the two alleys as long as they did not vacate beyond Lot #8. He stated that he felt that the landscaping that Tokheim was doing was an asset to the area. Mr. Angle stated that he wanted to be sure that there would be no drainage from the Tokheim property onto his property.

Evelyn Floyd appeared before the Commission. Ms. Floyd stated that she was concerned with the condition of Reynolds Street and whether Tokheim would be installing new curbs and sidewalks.

In rebuttal, Mr. Shine stated that with regard to the condition of the street and sidewalk on Reynolds he stated that it is not part of their project to upgrade them. He stated that they are interested in the maintenance and upkeep of the entire neighborhood. He stated that they would be happy to participate in any conversations with the city about improving the streets and sidewalks.

Mr. Keith Lasure, Manager of Manufacturing with Tokheim Corporation, stated that with regard to the Angle Inn the plans have been checked and revised as far as water drainage and there should be no drainage problems for the Angle Inn property. If there were any problems they were encouraged to contact Tokheim and they would be happy to see what they could do.

Mr. Shine stated that they have worked with Tom Cain the Landscape Architect for the city and are doing a comprehensive landscape plan for this project.

Mr. Lasure stated that they have been coordinating their efforts with Tom Cain and the City Planning Department and they are pleased with the results. He stated that they do have in the plan approximately 200 pine trees and spruce trees that will be

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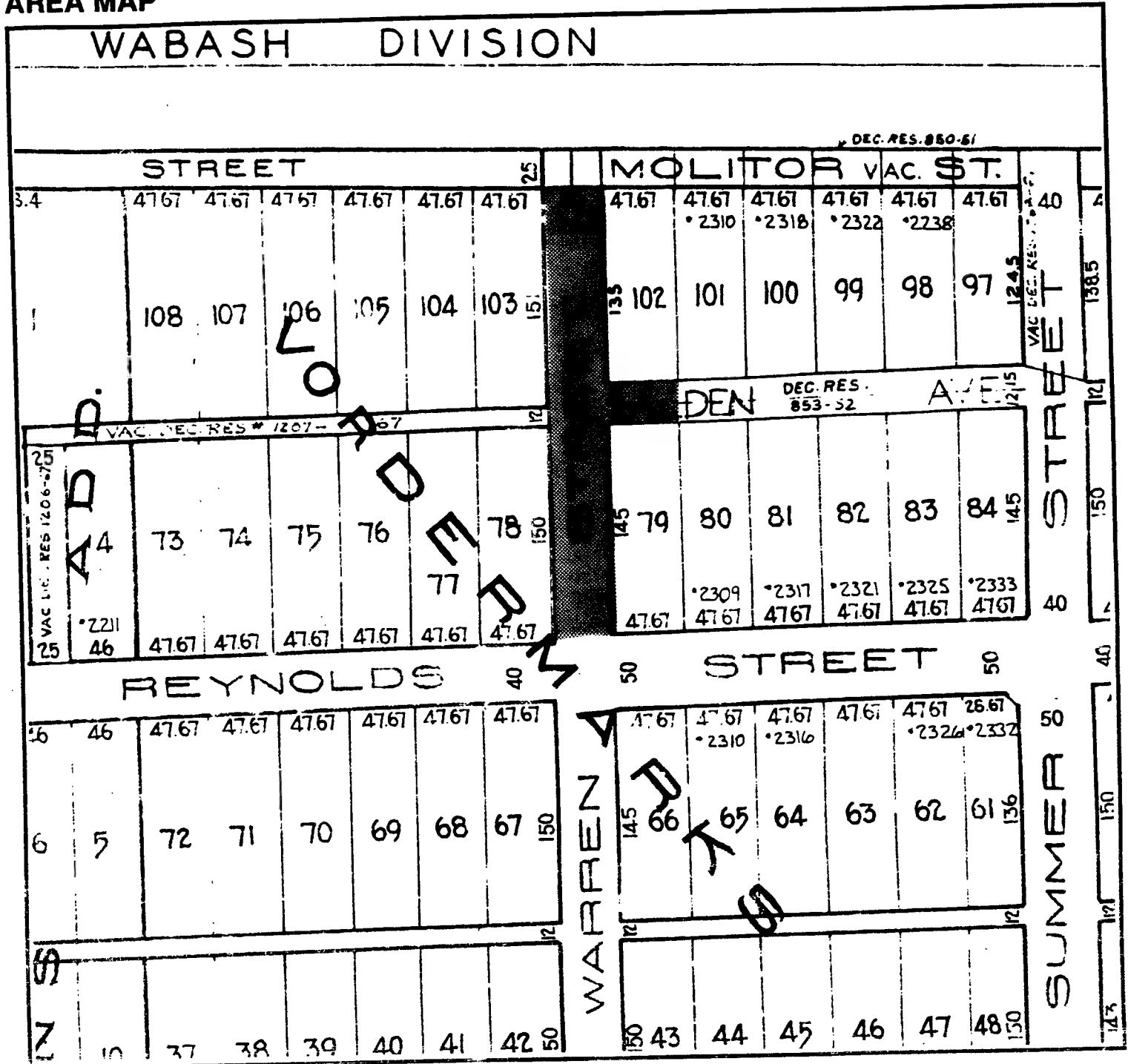
going into the area along with that approximately 50 types of a leaf variety.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacations and rezoning.

VACATION PETITION

CASE NO. #470

AREA MAP



COUNCILMANIC DISTRICT NO. 1

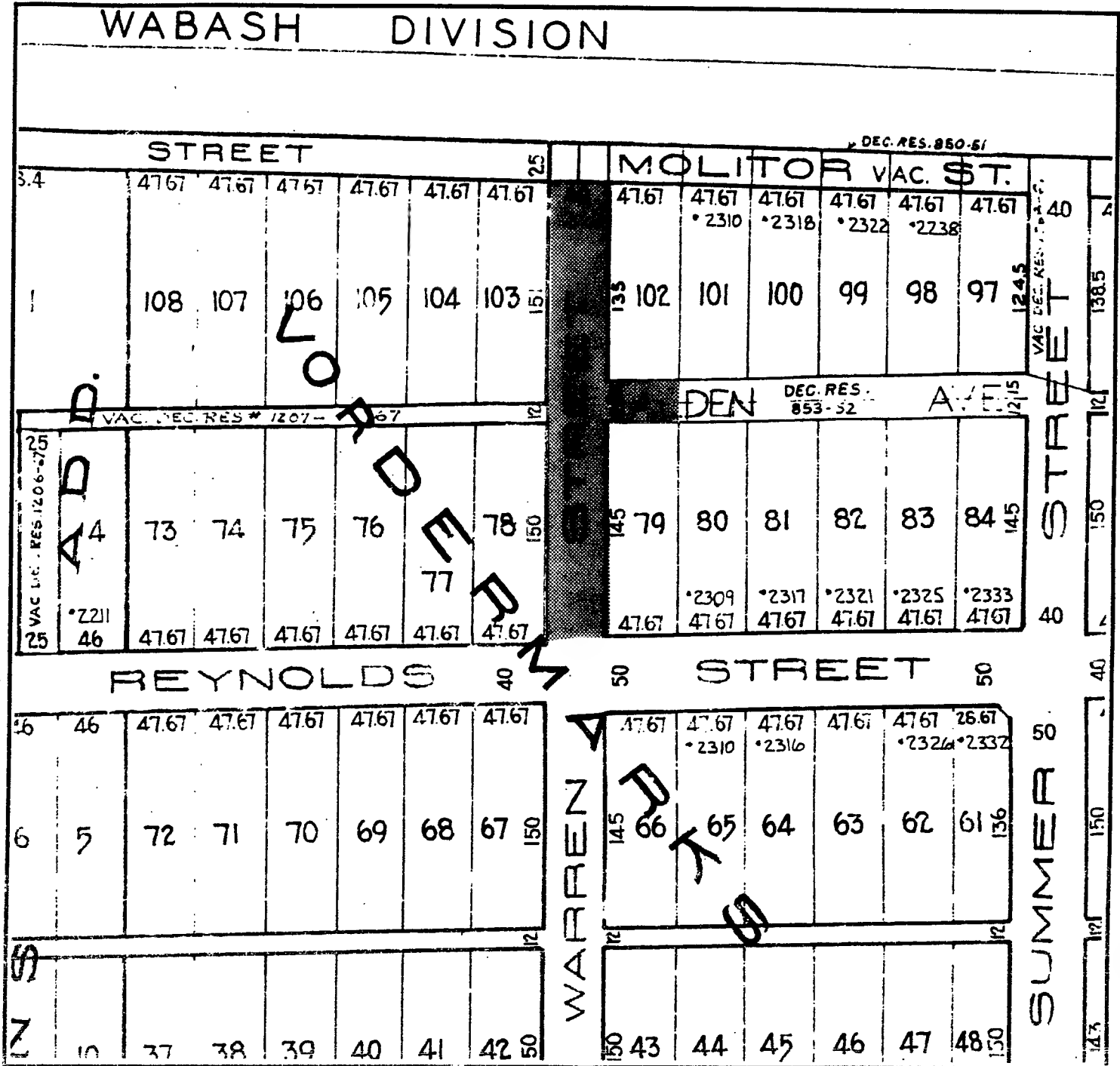
Map No. P-2
LW 3-21-91

R1	One-Family	B1	Limited Business	M1	Light Industrial
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VACATION PETITION

AREA MAP

CASE NO. #470



COUNCILMANIC DISTRICT NO. 1

Map No. P-2
LW 3-21-91

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PUD	Planned Unit Dev.	POD	Professional Office District	MHP	Mobile Home Park

RECEIPT

No 10823

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND., 3-14 19 71

RECEIVED FROM

Tokum Corp

\$ 100.00

THE SUM OF

one hundred

DOLLARS

ON ACCOUNT OF

Street vacation Tokum

158075

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE

Date Filed: _____

Vacation Petition

I/We Tokheim Corporation and Indiana Michigan Power Company
(Applicant's Name or Names)

PETITION TO VACATE Street
(Street, Alley, Utility Easement, Plat,
Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do ~~(X)over~~ hereby respectfully
petition the Fort Wayne City Plan Commission to vacate the
following street with the City of Fort
Wayne, Indiana, and hereby described as follows:

That portion of north-south Warren Street bounded by the west by the east
property lines of Lot Nos. 103 and 78 in Vodermark's Addition and bounded to
the east by the west property lines of Lot Nos. 102 and 79 of Vodermark's
Addition.

That portion of east-west Alden Street bounded to the north by the south
property line of Lot No. 102 in Vodermark's Addition and bounded to the
(Legal Description of property being vacated) If additional
space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as
follows:

(List reasons for requesting vacation.)

1. They are the only owners of the real estate bordering both sides of
the portion of the street sought to be vacated.
2. The portion of the street sought to be vacated is not necessary as
ingress or egress to other properties in the City of Fort Wayne.
3. No other person, firm, or corporation is adversely affected by the
requested vacation of said portion of the street sought to be vacated.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority
granted in Indiana Code, and provisions of local ordinance, in
order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described
street be vacated according to the provisions
of the Indiana Law pertaining thereto.

DATED THIS 14th DAY OF March, 19 91

TOKHEIM CORPORATION
Adjacent Property Owner
Typed Name
1600 Wabash Avenue
Fort Wayne, Indiana 46803
Address Zip

By: Donald S. Rhodes
Signature Vice President

INDIANA MICHIGAN POWER COMPANY
Adjacent Property Owner
Typed Name
One Summit Square
Fort Wayne, Indiana 46802
Address Zip

By: C. C. Miller Auth. Rep.
Signature

Legal Description of Property:

south by the north property line of Lot No. 79 in Vodermark's Addition.

Additional Reasons for Vacation Request:

4. The maintenance of the portion of the street sought to be vacated is
not necessary of advantageous to the growth of the City of Fort Wayne.

5. The vacation of said portion of the street sought to be vacated will
benefit the City of Fort Wayne and the citizens thereof by permitting
your petitioner, Tokheim Corporation, to proceed with the expansion
and renovation of its plant facilities located in the East Central
section of the City.

Owners of Adjacent Property:

_____	_____	_____
_____	_____	_____
_____	_____	_____
Adjacent Property	Address/Zip	Signature
Owners TYPED Name		

NOTICE:

**FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE
PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.**

**FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC
HEARING FROM BEING HELD.**

This form is to be filed in duplicate.

AGENT:

Lawrence E. Shine, Esq.
Name
Baker & Daniels
2400 Fort Wayne National Bank Building
Street Address
Fort Wayne, Indiana 46802-2387
City/State/Zip
(219) 424-8000
Phone

RESOLUTION 79-177-15

WHEREAS, TOKHEIM CORPORATION and INDIANA MICHIGAN POWER COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following streets situated in Fort Wayne, Allen County, to-wit:

All that part of Warren Street lying North of a line connecting the Southwest corner of Lot 79 to the Southeast corner of Lot 78 and South of the South right-of-way line of vacated Molitor Street.

Also that portion of Alden Avenue lying adjacent to and contiguous with Lots 79 and 102, all as shown in Vodermark's Addition recorded in Deed Book 58, pages 148 and 149, in the Office of the Recorder of Allen County

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated streets has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated streets hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said streets hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA))
COUNTY OF ALLEN) SS:

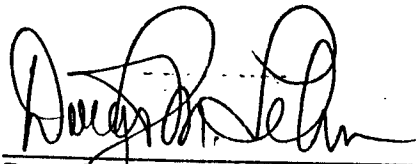
I, Charles E. Layton, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held December 31, 1991 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 31st DAY OF December 1991

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier
Katherine A. Carrier
Member, Board of Public Works

A handwritten signature in black ink, appearing to read 'Douglas M. Lehman', written over a horizontal line.

Douglas M. Lehman
Director of Administration & Finance

RESOLUTION

WHEREAS, TOKHEIM CORPORATION and INDIANA MICHIGAN POWER COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following streets situated in Fort Wayne, Allen County, to-wit:

All that part of Warren Street lying North of a line connecting the Southwest corner of Lot 79 to the Southeast corner of Lot 78 and South of the South right-of-way line of vacated Molitor Street.

Also that portion of Alden Avenue lying adjacent to and contiguous with Lots 79 and 102, all as shown in Vodermark's Addition recorded in Deed Book 58, pages 148 and 149, in the Office of the Recorder of Allen County

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 15, 1991 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated streets.

WHEREAS, said vacation of dedicated streets has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated streets hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated streets hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated streets or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held April 22, 1991, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 3rd DAY OF January 1992

FORT WAYNE CITY PLAN COMMISSION

A handwritten signature in cursive script, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

January 16, 1992

Larry Shine, Attorney
2400 Fort Wayne National Bank Building
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON BILLS NO. G-91-04-16 & G-91-04-18

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, January 28, 1992, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana.

Bill No. G-91-04-16
Warren Street north of Reynolds Street and the
West 47.67 feet of Alden Avenue - Expansion and
renovation of the existing Tokheim facilities

Bill No. G-91-04-18
Two alleys located on the west side of Dubois Street,
north of Wayne Trace - Expansion and renovation of
existing Tokheim facilities

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-91-04-16)

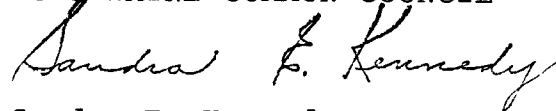
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, January 28, 1992, at 7:00 P.M., (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

All that part of Warren Street lying North of a line connecting the Southwest corner of Lot 79 to the Southeast corner of Lot 78 and South of the South right-of-way line of vacated Molitor Street

Also that portion of Alden Avenue lying adjacent to and contiguous with Lots 79 and 102, all as shown in Vodermark's Addition recorded in Deed Book 58, Pages 148 and 149, in the Office of the Recorder of Allen County

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL

A handwritten signature in cursive script, reading "Sandra E. Kennedy".

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

January 15, 1992

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of January 18, 1992, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-91-04-16
Street Vacation Ordinance

Bill No. G-91-04-18
Alley Vacation

Bill No. G-91-12-24
Utility Easement

Please send us 3 copies of the Publisher's Affidavit for each of the above from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 3

Fort Wayne Common Council
(Governmental Unit)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines
at .33 cents per line

\$ 8.25

Additional charge for notices containing rule or tabular work
(50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM

\$ 8.25

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Jan 18, 1992

Title: Cindy Gillenwater Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the _____ newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time _____, the dates of publication being as follows:

Jan 18, 1992

Subscribed and sworn to before me this 18th day of Jan, 1992.

Shelley R. Larue
Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-91-04-16)

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All interest parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk

Claim No. _____ Warrant No. _____

IN FAVOR OF

Fort Wayne Newspapers, Inc.
Agent for The Journal-Gazette
600 West Main Street
Fort Wayne, IN 46802

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Allowed _____, 19 _____

In the sum of \$ _____

I have examined the within claim and hereby
certify as follows:

That it is in proper form

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently ☐ Correct ☐ Incorrect

I certify that the within claim is true and correct
that the services therein itemized and for which
charge is made were ordered by me and were
necessary to the public business.

_____, 19 _____

TABLE SHOWING PRICE PER LINE AND PER INSERTION

	Size of type	Number of insertions			
		1	2	3	4
Governmental Agencies, City, County and State	6	.330	.495	.660	.825
Individuals, Businesses, Federal Government Agencies	6	1.29	1.29	1.12	1.02

Fort Wayne Common Council
(Governmental Unit)To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, INAllen County, Indiana

PUBLISHER'S CLAIM

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at .33 cents per line\$ 8.25Additional charge for notices containing rule or tabular work
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Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

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Date: Jan 18, 19 92Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

Jan 18, 1992Subscribed and sworn to before me this 18th day of Jan 19 92.SHELLEY R. LARUE
Notary Public Whitley County, IN
SHELLEY R. LARUEMy commission expires: March 3, 1994NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-91-04-16)

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FORT WAYNE COMMON COUNCIL
Sandra E. Kennedy
City Clerk

Claim No. _____ Warrant No. _____

Fort Wayne Newspapers, Inc.
Agent for The News-Sentinel
600 West Main Street
Fort Wayne, IN 46802

\$ _____

ON ACCOUNT OF APPROPRIATION FOR

Allowed _____, 19 _____

In the sum of \$ _____

I have examined the within claim and hereby
certify as follows:

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